

## **2.0 Permit Requirement**

### **E.3. Erosion and Sediment Control**

An acceptable erosion and sediment control program shall be maintained in accordance with the Environment Article, Title 4, Subtitle 1, Annotated Code of Maryland. At a minimum, Baltimore County shall:

- a. Address needed program improvements identified during MDE's evaluation of Baltimore County's application for the delegation of erosion and sediment control enforcement authority;
- b. At least three times per year, conduct "responsible personnel" certification classes to educate construction site operators regarding erosion and sediment control compliance. Program activity shall be recorded on MDE's "green card" database and submitted with the Baltimore County annual report; and
- c. Report quarterly information regarding earth disturbances exceeding one acre or more. Quarters shall be based on calendar year and submittals shall be made within 30 days following each quarter. The information shall be specific to the permitting activity for the preceding three months.

## **2.1 Introduction**

The Erosion and Sediment Control Program is implemented by DEPRM's Inspection and Enforcement Section. This program is periodically reviewed by the Maryland Department of the Environment and has consistently met the review requirements. The Erosion and Sediment Control Program contains several components:

- review of building and grading permit applications
- field inspection and enforcement of grading and sediment control regulations
- citizen complaint investigation, and
- training program for certification of responsible personnel.

Baltimore County has been given the authority to enforce sediment control regulations by the State of Maryland. The main function of the Erosion and Sediment Control Program is to reduce pollutant loads from new development and redevelopment during the construction phase. This goal is achieved using sediment control best management practices (BMPs) as specified in the sediment and erosion control plan for each development site. Sediment control plans are required for any construction activity disturbing an area greater than 5,000 square feet. The standard plan for Sediment and Erosion Control is used for residential construction activity disturbing less than 30,000 sq. ft. and all other construction activity disturbing less than 20,000 sq. ft.

## **2.2 Program Analysis - Plans Review**

Currently, Sediment and Erosion Control Plans are reviewed for adequacy by the Baltimore County Soil Conservation District while DEPRM's Stormwater Management Section coordinates

the approval process. The Sediment and Erosion Control Plans are also reviewed by DEPRM's Environmental Impact Review Section to ensure that there is no encroachment on the forest buffers or forest conservation areas that are protected by County regulations.

Each Sediment and Erosion Control Plan is required to have an associated Grading Plan indicating the final topographic contours of the development site. The Grading Plans are reviewed by DEPRM and the Baltimore County Soil Conservation District.

## **2.3 Program Analysis - Inspection and Enforcement**

The Inspection and Enforcement Section maintains records of issued grading permits, conducts routine inspections of active construction sites, and issues correction notices, violation notices, and stop work orders to enforce compliance of sediment and erosion control and grading plans. Prior to the issuance of grading permits, a pre-construction meeting is held at the site. This meeting is attended, at a minimum, by the DEPRM inspector and the construction site foreman. The foreman must be certified through the "responsible personnel in erosion and sediment control" training program which is described in section 2.4. The meeting covers the sequence of operations for the grading involved with the overall site development. This meeting is intended to forestall any future problems.

### *2.3.1 Grading and Building Permits Issued*

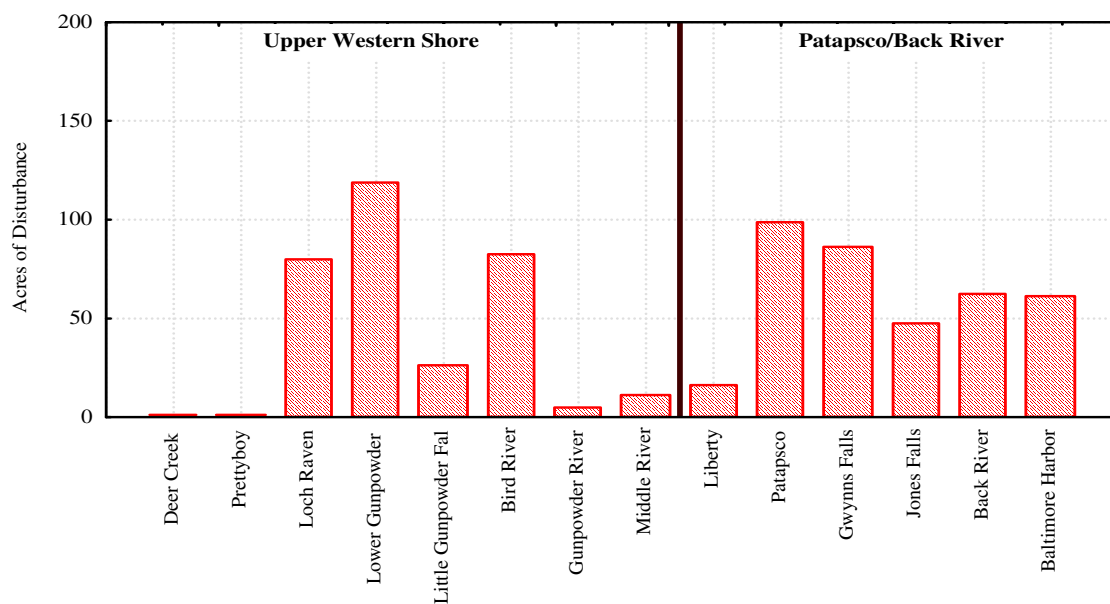
Grading permits and building permits are reviewed by DEPRM. Grading Permits are required for any disturbance over 5,000 square feet or for grade changes in existing neighborhoods.

Baltimore County building permits are required for any new construction, additions, or alterations. This Department reviews building permits, to ensure that the final drainage patterns will not impact adjacent properties and that the onsite drainage will direct stormwater away from building structures and to stormwater management facilities. These permits are also reviewed to ensure that they are in compliance with other environmental regulations, such as, Critical Area requirements and Forest Buffer requirements.

During the calendar year 2007, two hundred and twelve (212) grading permits were issued. This represents a slight decrease in the number of grading permits from the previous year. However, there was a significant reduction in the acreage of disturbance from 1,147 acres to 698 acres. This is the lowest acreage since reporting began in 1998. The number of grading permits approved and the acreage of disturbance are displayed by watershed in Table 2-1 and Figure 2-1. Approximately 96 acres representing 13% of the total acreage of disturbance occurred in the drainage areas of the three drinking water reservoir watersheds Prettyboy Reservoir (0.0 acres), Loch Raven (80.2 acres), and Liberty (16.19 acres). This disturbed acreage is the same as last year. These watersheds comprise ~47 % of the drainage area in Baltimore County. Baltimore County has been promoting redevelopment of its older communities. This renaissance has finally come to fruition and is apparent by these permit numbers. The watersheds with the greater number of permits are the ones that are within growth areas or contain older existing communities.

**Table 2-1: Number of Grading Permits and Acreage of Disturbance by Watershed for 2007.**

<b>Watershed</b>	<b>Number of Permits</b>	<b>Acreage of Disturbance</b>
<b>Upper Western Shore</b>		
Deer Creek	1	0.1
Prettyboy Reservoir	0	0.0
Loch Raven Reservoir	33	80.2
Lower Gunpowder Falls	17	119.2
Little Gunpowder Falls	3	26.6
Bird River	13	82.4
Gunpowder River	3	5.5
Middle River	17	11.9
<b>UWS Totals</b>	<b>87</b>	<b>325.9</b>
<b>Patapsco/Back River</b>		
Liberty Reservoir	4	16.1
Patapsco River	28	98.6
Gwynns Falls	24	86.8
Jones Falls	20	47.0
Back River	32	62.2
Baltimore Harbor	17	61.4
<b>Patapsco/Back R. Totals</b>	<b>125</b>	<b>372.1</b>
<b>County Totals</b>	<b>212</b>	<b>698.0</b>



**Figure 2-1: Acres of disturbance through approved grading permits by watershed for 2007.**

During the calendar year 2007, 1,191 new residential building permits were issued. The distribution of building permits by watershed is displayed in Table 2-2 and Figure 2-2.

As indicated above, Baltimore County has been advocating redevelopment of its older communities. For calendar year 2007, a greater number of permits are located in watersheds with existing development.

Table 2-2: Number of Building Permits by Watershed Approved in 2007.

Watershed	Number of Permits
<b>Upper Western Shore</b>	
Deer Creek	2
Prettyboy Reservoir	11
Loch Raven Reservoir	131
Lower Gunpowder Falls	130
Little Gunpowder Falls	14
Bird River	193
Gunpowder River	15
Middle River	87
<b>Upper Western Shore Totals</b>	<b>583</b>
<b>Patapsco/Back River</b>	
Liberty Reservoir	15
Patapsco River	131
Gwynns Falls	120
Jones Falls	124
Back River	191
Baltimore Harbor	27
<b>Patapsco/Back River Totals</b>	<b>608</b>
<b>County Totals</b>	<b>1,191</b>

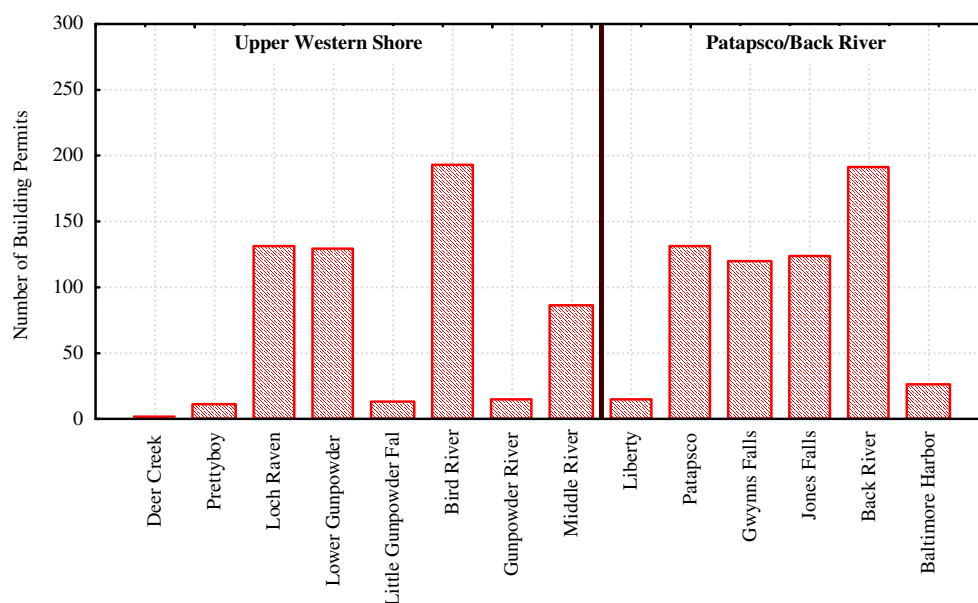


Figure 2-2: Number of building permits issued in 2007 by watershed.

Displayed in Table 2-3 and Figure 2-3 are the trends in building and grading permits, as well as acres of disturbance for a ten-year period. It shows a peak in 1999 followed by a gradual downward trend and then a greater downward trend last year.

Table 2-3: Number of Grading and Building Permits by Year

Year	Grading Permits	Acres of Disturbance	Building Permits
1998	256	1,173	2,705
1999	364	1,115*	2,747
2000	256	1,081	2,419
2001	232	1,209	1,869
2002	216	1,093	1,915
2003	258	916	1,708
2004	249	905	1,731
2005	217	1,083	2,085
2006	230	1,147	1,713
2007	212	698	1,191

\*Excluding a single permit for 6,060 acres of disturbance associated with the Colonial Pipeline maintenance project.

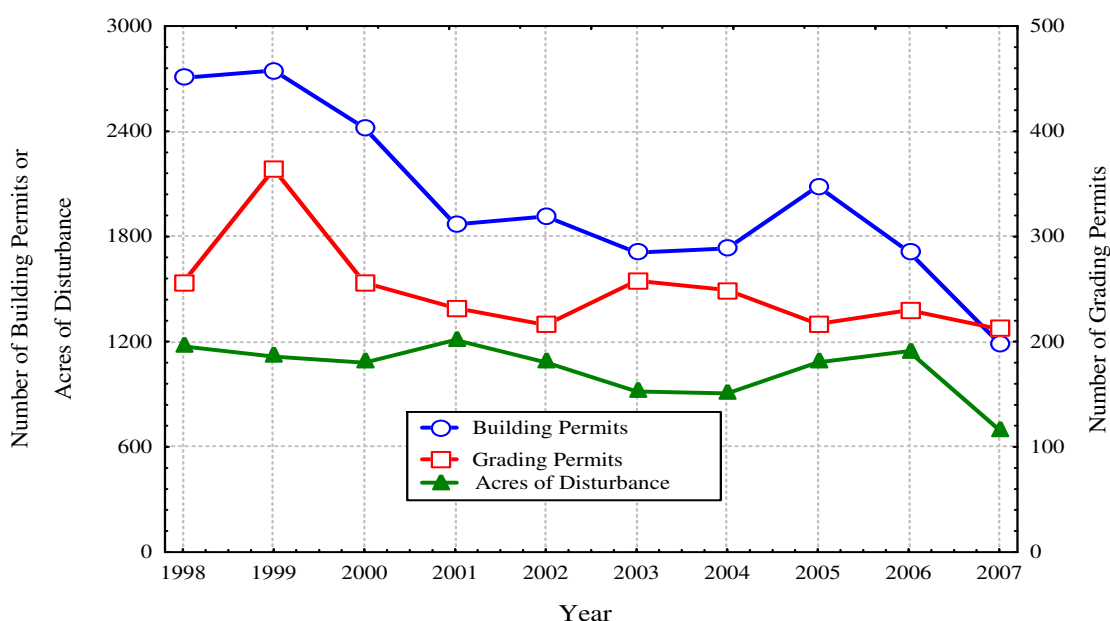


Figure 2-3: Approved Grading and Building Permits for the Period 1998 – 2007.

### 2.3.2 Inspections, Complaints and Enforcement

After construction begins, an inspector inspects the site an average of once every two weeks during the active constructive phase. Table 2-4 displays the number of inspections by month and type for the calendar year 2007. These inspections are also shown in Figures 2-4 and 2-5. The data are broken down into two categories, enforcement actions and inspections.

In 2007, 1,331 enforcement actions were logged (Table 2-4, last column and Figure 2-4), and 11,462 inspections were logged (Table 2-4, seventh column and Figure 2-5). These numbers represent a slight decrease in comparison with the activities in 2006.

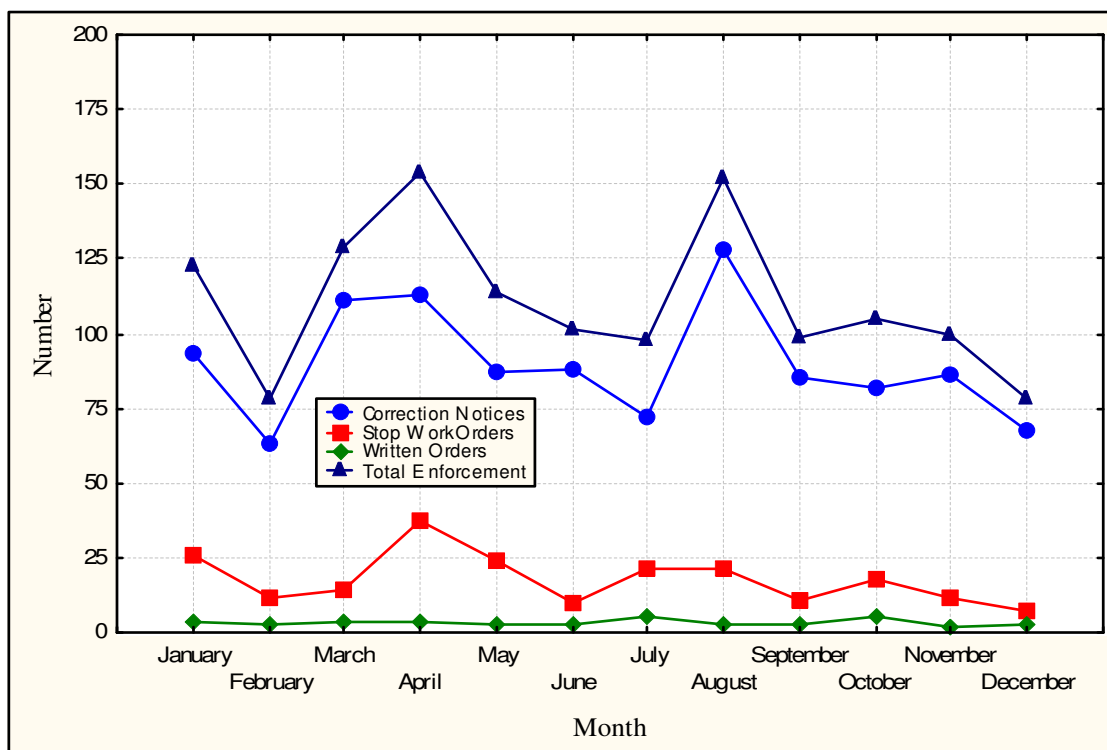


Figure 2-4: The number of sediment control enforcement actions by month for the calendar year 2007.

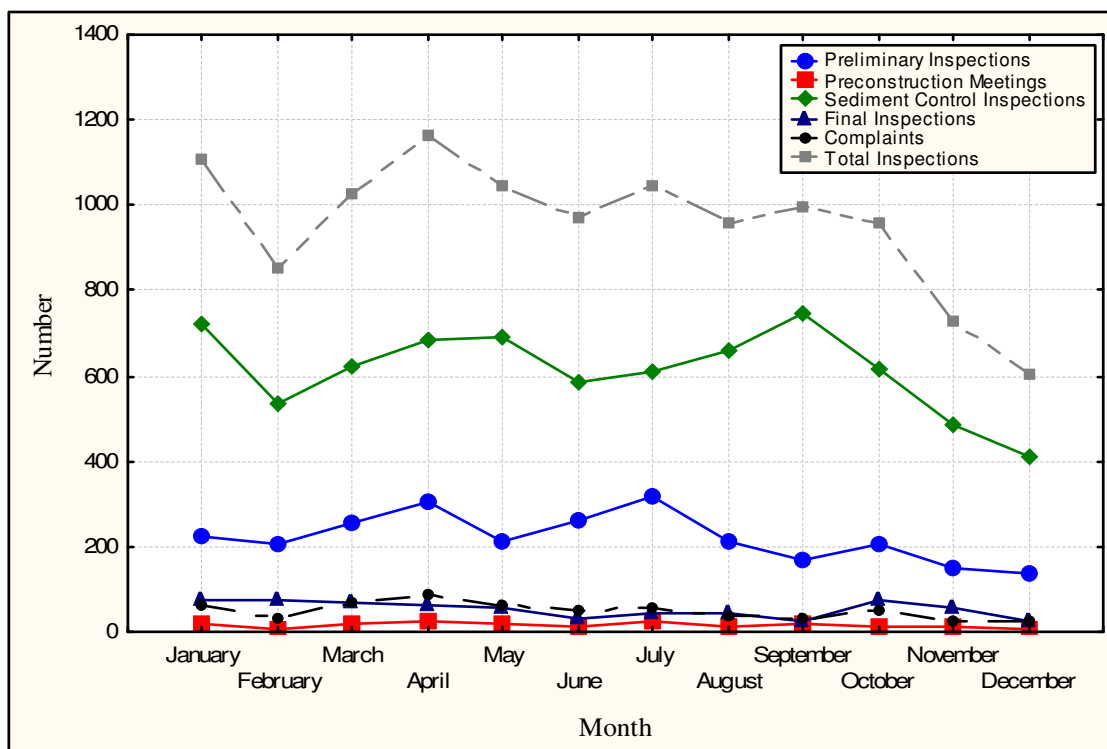


Figure 2-5: Number of sediment control inspections and the total number of inspections by month for the calendar year 2007.

**Table 2-4: Sediment Control Inspection Data for 2007**

Month	Prelim.	Pre Constr.	S.C. Inspt.	Final Inspt.	Complaint	Total Inspt.	Correct. Notice	Stop Work Order	Written Orders	Totals Enforce
January	227	21	723	737	64	1,108	93	26	4	123
February	208	7	534	72	31	852	63	12	3	78
March	254	17	622	67	69	1,029	111	14	4	129
April	306	23	684	63	88	1,164	113	37	4	154
May	211	21	689	58	64	1,043	87	24	3	114
June	264	13	588	61	47	973	88	10	3	101
July	318	23	607	42	57	1,047	72	21	5	98
August	209	11	658	43	40	961	128	21	3	152
September	170	21	748	25	30	994	85	11	3	99
October	207	12	616	73	49	957	82	18	5	105
November	147	11	486	57	27	728	86	12	2	100
December	137	7	410	28	24	606	68	7	3	78
<b>Totals</b>	<b>2658</b>	<b>187</b>	<b>7,365</b>	<b>662</b>	<b>590</b>	<b>11,462</b>	<b>1,076</b>	<b>213</b>	<b>42</b>	<b>1,331</b>

Sediment controls are only seventy to ninety percent effective when they are properly installed and maintained. Therefore a successful sediment control inspection and enforcement program is essential for achieving maximum effectiveness.

## **2.4 Program Analysis - Training Program**

Four (4) Responsible Personnel Certification training sessions were held in 2007: February 14, and February 22, March 12, and March 15. One hundred and four (104) people attended these sessions. A list of individuals receiving certification is presented in Appendix 2-1. The training program is offered to construction site operators in Baltimore County on an as-needed basis. Baltimore County maintains an interest list on file and offers the certification class when enrollment requests justify the need.

## **2.5 Summary**

An overall decrease in inspections for fiscal 2007 is contributed to the vacancy of two (2) inspection officer positions.

In the fall of 2007, the Maryland Department of the Environment Water Management Administration conducted an Erosion and Sediment Control Program Evaluation of DEPRM's Erosion and Sediment Control Program. DEPRM's program received good marks in all categories and based on the effectiveness of Baltimore County's program, continued delegation has been extended to June 30, 2010. The letter reaffirming delegation is in Appendix 2-2. Additional changes to the program will be made as necessary. DEPRM will reapply for delegation no later than October 1, 2009.

**Appendix 2-1: List of Individuals Receiving Certification**

LAST NAME	FIRST NAME	DATE	CERT NUM
CHRISTENSEN	PETER J.	02/14/2007	28529
WITT	STEVEN P.	02/14/2007	28536
WATSON	JONATHAN C.	02/14/2007	31032
WALLACE	SCOTT C.	02/14/2007	28534
SHREWSBURY	JEFFREY L.	02/14/2007	28533
KLINE	WILLIAM B.	02/14/2007	28532
DERUGGIERO	ANTHONY T.	02/14/2007	28531
BOWERS	RANDALL L.	02/14/2007	28528
COFFMAN	RICHARD D.	02/14/2007	28530
WOODHURST	STEPHEN L.	02/14/2007	28537
COOK	JAN M.	02/22/2007	28547
SAMPLE	TRAVIS D.	02/22/2007	30963
WILCOX	DEWITT G.	02/22/2007	30970
JOHNSON	MAURICE A.	02/22/2007	30957
MARCONI	RICHARD A.	02/22/2007	30958
MYERS	GABRIELLE S.	02/22/2007	30959
PAJAK	JOSHUA A.	02/22/2007	30960
HECKERT	WILLIAM B.	02/22/2007	28555
ROSSMAN	THEODORE L.	02/22/2007	30962
HAWKINS	JASON M.	02/22/2007	28554
SMITH	JOSEPH L.	02/22/2007	30964
TERHUNE	PHILLIP T.	02/22/2007	30965
TRIBETT	KYLE D.	02/22/2007	30966
WHEELER	JEFF W.	02/22/2007	30967
WHITE	JOHN F.	02/22/2007	30968
FISHER	JAMIE L.	02/22/2007	28549
RAGER	CHRISTOPHER M.	02/22/2007	30961
BROSH	MEGAN A.	02/22/2007	28545
ARMSTRONG	CHRIS W.	02/22/2007	28538
BAILEY	DEANNA C.	02/22/2007	28539
BEVARD	STEVE	02/22/2007	28540
BLALOCK	DAN M.	02/22/2007	28541
BOUCHER	ANTHONY B.	02/22/2007	8542
HILDEBRANDT	CHAD M.	02/22/2007	28556
BROGZKOWSKI	JEFFREY	02/22/2007	28544
WOOD	GREGORY N.	02/22/2007	30971
CAMPBELL	JUSTIN M.	02/22/2007	28546
DOYLE	MICHAEL P.	02/22/2007	28548
GENITO	DENNIS	02/22/2007	28550
GEARY	JARED P.	02/22/2007	28551
GOODWIN	DAVID J.	02/22/2007	28552
GRACEY	ROBERT N.	02/22/2007	28553
BOWMAN	JONATHAN D.	02/22/2007	28543
ZECK	JOHN S.	02/22/2007	30972
WICHMAN	RICHARD E.	02/22/2007	30969

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LAST NAME	FIRST NAME	DATE	CERT NUM
ZINK	ADAM N.	03/12/2007	31000
SHOEMAKER	TIMOTHY C.	03/12/2007	30993
SHEVLAND	NICHOLAS E.	03/12/2007	30992
MCALLISTER	BILL	03/12/2007	30986
GUTTMAN	DAVID O.	03/12/2007	30981
COX, JR	DARREL E.	03/12/2007	30978
BOSLEY	EDWARD A.	03/12/2007	30975
BURDICK	EDWARD A.	03/12/2007	30977
MEISTER	VANCE E.	03/12/2007	30987
EGLISKIS	MICHAEL J.	03/12/2007	30979
JUDGE	JAMES P.	03/12/2007	30983
WALSKY	PAUL S.	03/12/2007	30997
OLIVER	TOMMY L.	03/12/2007	30989
ROLAND	JOSEPH R.	03/12/2007	30990
SNYDER	MARK F.	03/12/2007	30994
ALLEN	VINCENT T.	03/12/2007	30973
BAILEY	JOE R.	03/12/2007	30974
WIRTANEN	MICHAEL	03/12/2007	30999
MOORE	MARK D.	03/12/2007	30988
MASON, JR	JOSEPH E.	03/12/2007	30985
HOPKINS	DAVID R.	03/12/2007	30982
ALLEN	VINCENT T.	03/12/2007	30973
BRAUN	LOUIS R.	03/12/2007	30976
WENTWORTH	CHRISTOPHER J.	03/12/2007	30998
SOETLE	RICHARD L.	03/12/2007	30995
TWELE	MATTHEW AL	03/12/2007	30996
RYAN	MARY E.	03/12/2007	30991
FELDER	CLARENCE	03/12/2007	30980
ALTMAYER	KEVIN M.	03/12/2007	31001
BAILEY	JOE R.	03/12/2007	30974
BOYER III	DONALD A.	03/15/2007	31005
HARRISON	TIMOTHY J.	03/15/2007	31013
SHEPPERD JR.	DOUGLAS W.	03/15/2007	31027
POWERS	MICHAEL R.	03/15/2007	31025
PETERKIN	RODNEY K.	03/15/2007	31023
MOSKOWSKY	PETER A.	03/15/2007	31022
MCEVOY	DOUG D.	03/15/2007	31021
LEMMON	TYRONE	03/15/2007	31020
LANE	DAVID P.	03/15/2007	31019
KUDRNA	JOSEPH E.	03/15/2007	31018
JOHNSON	JERMAINE L.	03/15/2007	31016
SNYDER	JOHN W.	03/15/2007	31028
HEINLE	DAVID M.	03/15/2007	31014
SEIBEL	ARTHUR W.	03/15/2007	31026
HAMILTON	LAURIE A.	03/15/2007	31012
FRANK	JACOB M.	03/15/2007	31011

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LAST NAME	FIRST NAME	DATE	CERT NUM
FONDNAZIC	CHRISTINE M.	03/15/2007	31010
ENSOR	BRYAN R.	03/15/2007	31009
CENIDOZU	DAVID J.	03/15/2007	31008
CAMPBELL	REGINALD	03/15/2007	31006
BOWEN	TRACEY E.	03/15/2007	31004
BLUM	WILBUR P.	03/15/2007	31003
KRAFT	THOMAS R.	03/15/2007	30984
HYMAN	MICHAEL A.	03/15/2007	31015
UNFRIED	MARK C.	03/15/2007	31030
THOMPSON	MARK D.	03/15/2007	31029
BENNETT	TIMOTHY P.	03/15/2007	31002
CARRERAS	FRANCISCO S.	03/15/2007	31007
PISTORIO	JASON C.	03/15/2007	31031

Appendix 2-2: Letter from MDE Reaffirming Program Delegation



**MARYLAND DEPARTMENT OF THE ENVIRONMENT**

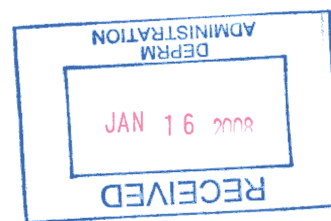
1800 Washington Boulevard • Baltimore MD 21230  
410-537-3000 • 1-800-633-6101

Martin O'Malley, Governor  
Anthony G. Brown, Lieutenant Governor

Shari T. Wilson, Secretary  
Robert M. Summers, Ph.D., Deputy Secretary

**JAN 14 2008**

Mr. David A.C. Carroll, Director  
Department of Environmental Protection and Resource Management  
Baltimore County Government, Courts Building  
Towson, Maryland 21204



Dear Mr. Carroll:

The Maryland Department of the Environment, Water Management Administration (MDE/WMA) has completed the review of Baltimore County's application for continued delegation of erosion and sediment control enforcement authority. I would like to thank you and your staff for their assistance during the review process. A copy of our evaluation is attached for your use.

Results of the field inspection of active construction sites found most to be in good condition and in compliance with erosion and sediment control requirements. Therefore, I am pleased to grant your request for continued delegation of erosion and sediment control enforcement authority. This delegation of authority becomes effective July 1, 2008. Continuation beyond June 30, 2010 requires reapplication to MDE by October 1, 2009.

If you have any questions or comments regarding our review, please call me at (410) 537-3567 or have a member of your staff contact Mr. Kenneth L. Pensyl, Sediment, Stormwater, and Dam Safety Program at (410) 537-3543.

Sincerely,



Jay G. Sakai, Director  
Water Management Administration

Enclosure

cc: Mr. Jim Ensor, District Manager, Baltimore County Soil Conservation District